

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10CV457

MARK JOHNSON d/b/a  
JQ SOLUTIONS,

Plaintiff,

vs.

EDWIN WESTLAKE and  
WESTEV WW COMMODITIES,  
LLC,

Defendants.

ORDER

This matter is before the court upon its own motion. Plaintiff filed his *pro se* Complaint against the Defendants on September 16, 2010. On October 20, 2010, Plaintiff's IFP motion was granted and summons was issued. Service was unsuccessfully attempted by the USMS, and the summons was returned unexecuted on November 16, 2010.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the time for service has expired. Accordingly, the court hereby dismisses this action without prejudice.

IT IS SO ORDERED.

Signed: April 25, 2011



Graham C. Mullen  
United States District Judge

